

REMARKSON AMENDMENTS TO THE CLAIMS

The claims of this application have been reviewed and amended in light of the first Office Action, mailed from the PTO on April 7, 2005, and also subsequent to a first amendment submitted July 5, 2005. Claims 1-68 are pending; no claim has been allowed. Claims 1-7, 10-43, 47, 48, 50-53, 56 and 58-68 are rejected. Claims 8, 9, 44-46, 49, 54, 55 and 57 are objected to as being dependent upon a rejected base claim. The following table explains the claim history of Application 10/715,319 as to amendments submitted:

| Claim | First Amend. | Second Amend. | Claim | First Amend. | Second Amend. |
|--------------|---------------------|----------------------|--------------|---------------------|----------------------|
| 1 | yes | no | 48-49 | no | yes |
| 2 | yes | no | 50-60 | no | no |
| 3 | yes | no | 61 | no | yes |
| 4 | no | no | 62 | no | cancelled |
| 5 | yes | no | 63 | no | cancelled |
| 6-16 | no | no | 64-68 | no | no |
| 17 | yes | yes | 69-71 | new | yes |
| 18-25 | no | no | 72 | new | no |
| 26 | yes | no | 73 | new | yes |
| 27-46 | no | no | 74-76 | -- | new |
| 47 | yes | yes | | | |

In response, and pending consideration of the remarks in two amendments, claims 1, 2, 3, 5, 17, 26 and 47 were modified in the first amendment, claims 17, 47-49, 61, 69-71, and 73 were modified in the second amendment (herein) both to better claim the invention. Note that claims 69-73 were added as new claims in the first amendment, while claims 74-76 were added in the second

amendment. An additional fee for the 3 new dependent claims of this (second) amendment is required and is attached. Claims 62-63 were cancelled.

References: Lang, US Patent 6,651,035, hereinafter termed Lang '035.
Lang, US Patent 6,522,994, hereinafter termed Lang '994.
Nevruz, US Patent 5,847,266, hereinafter termed Nevruz.
"Performance Test Procedure Sodium Based Recovery Units",
CA Report No. 84041601, March 1996, TAPPI Press,
Atlanta Georgia; hereinafter termed the TAPPI Code.
American Society of Mechanical Engineers' (ASME) Performance
Test Codes 4.1 and 4; hereinafter termed PTC 4.1 & 4.
"Acceptance Testing of Steam Generators, DIN 1942, DIN
DEUTSCHES Institut Fur Normung E.V.,
February 1994; hereinafter termed DIN1942.
"Water-Tube Boilers and Auxiliary Installations - Part 15:
Acceptance Tests", November 1999, European Committee
for Standardization prEN 12952-15:1999, Central Secretariat,
rue de Stassart, 36, Brussels; hereinafter termed EUstd.
"Code for Acceptance Tests on Stationary Steam Generators
of the Power Station Type", British Standard BS 2885:1974,
ISBN: 0 580 08136 2; hereinafter termed BS2885.

Claims 1-7 and 10-43 (excluding Claim 17):

Office Action indicated that a double patenting issue might exist as associated with claims 1-7 & 10-43 of the present application and claims 1-7 & 10-43 of Lang '035 in view of Nevruz. Note that the present application's claim 17 has been revised, discussed separately. To address the double patenting issue, a Terminal Disclaimer has been filed with this document.

Reference is made to the REMARKS associated with the first AMENDMENT TO THE CLAIMS dated July 5, 2005; its discussion incorporated herein by reference in its entirety.

Claim 17:

Claim 17 has been revised to claim how an air pre-heater leakage factor (R_{Act}) allows gaseous measurements to be employed on either side of the system air leakage. This concept is

significant to the determination of fuel chemistry based on combustion effluents, as it allows gaseous concentrations to be converted from either side of system air leakage - to then be used with consistency with like measurements. Thus, for example, if computations are to be made on the upstream (Boiler) side but some of the needed measurements are made on the downstream (Stack) side, conversion to the upstream side may be facilitated. If Input/Loss computations are made based on Boiler O_2 , but CO_2 and SO_2 measurements are made at the Stack, the Stack measurements can be reduced to a Boiler reference by multiplying the Stack concentrations by R_{Act} . Refer to §0046 for examples, and to §0047 for a detailed discussion and derivation of R_{Act} . Further, use of R_{Act} is made throughout the present application, and is involved (with the concentration of oxygen in combustion air, A_{Act} leading to ϕ_{Act}) in determining the Air Pre-Heater Dilution Factor (β , see §0027 & §0046), which appears in the governing combustion equation, Eq.(19BL).

Claims 47, 48, 50-53, 56 and 58-68:

Office Action indicated that a double patenting issue might exist as associated with claims 47, 48, 50-53, 56 & 58-68 of the present application and claims 1, 2, 13, 15-17, 24-27, 31, 33, 45, 46 & 72-75 of Lang '994 in view of the TAPPI Code. To address the double patenting issue, a Terminal Disclaimer has been filed with this document.

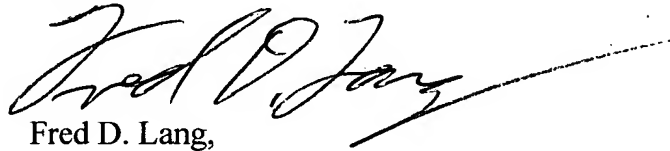
Reference is made to the REMARKS associated with the first AMENDMENT TO THE CLAIMS dated July 5, 2005; its discussion incorporated herein by reference in its entirety.

In Conclusion

This amendment is respectfully submitted by the *pro se* Applicant, Fred D. Lang, and the Assignee, Exergetic Systems, LLC as represented by the *pro se* Applicant, Fred D. Lang, he being the President of Exergetic Systems, LLC.

Thank you for considering these amendments and remarks. The Applicant well appreciates that detailed discussions might be in order, as such please feel free to call me at any time at 415-455-0100, or e-mail at Lang@ExergeticSystems.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Fred D. Lang', with a long horizontal flourish extending to the right.

Fred D. Lang,

pro se Applicant, and Inventor
of Application 10/715,319.

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